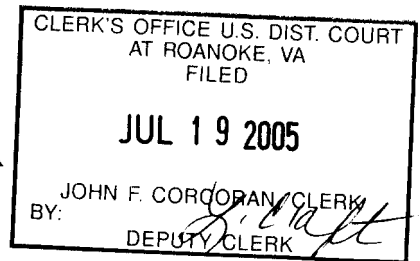


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



ROMANIA PETER CUNNINGHAM,)
Petitioner,)

Civil Action No. 7:05-CV-00452

v.)

FINAL ORDER

B.A. BLEDSOE,)
Respondent.)

By: Hon. Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petitioner's motion pursuant to 28 U.S.C. § 2255, shall be and hereby is **FILED** and **DISMISSED** without prejudice; because there is no filing fee associated with a motion under 28 U.S.C. § 2255, petitioner's motion to proceed in forma pauperis shall be and hereby is **DENIED**; and this action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondents.

ENTER: This 19th day of July, 2005.

[Signature]

UNITED STATES DISTRICT JUDGE